

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

KIARA SMITH
ADC #107225

PLAINTIFF

V.

CASE NO.: 3:07CV00050 BSM/JTR

LEROY MEADOWS, Sheriff,
Mississippi County, et al.

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. After carefully considering these documents and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Partial Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED:

1. Defendants' Motion for Summary Judgment (docket entry #43) is GRANTED IN PART and DENIED IN PART, such that: (a) Plaintiff's failure to protect and access to the courts claims are DISMISSED, WITH PREJUDICE; and (b) Plaintiff shall proceed with his remaining conditions of confinement, inadequate medical/mental care, and tort of outrage claims.
2. Plaintiff's First and Second Motions for Summary Judgment (docket entries #61 and #73) are DENIED.
3. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

Dated this 10th day of June, 2008.


UNITED STATES DISTRICT JUDGE